

CHAPTER 36

AN ACT TO PROHIBIT NON-RESIDENTS FROM FISHING WITH NETS, ETC., WITHIN ONE MARINE LEAGUE OF THE SHORES OF THE STATE.

The General Assembly of North Carolina do enact:

SECTION 1. That the Consolidated Statutes of nineteen hundred and nineteen be, and they are hereby amended by the following, which is to be known as "section one thousand nine hundred sixty-five a," and is to be placed between the present sections one thousand nine hundred sixty-five and one thousand nine hundred sixty-six.

C. S. 1965,
amended, adding
new section
1965(a).

1965a. It shall be unlawful for any person, firm or corporation, which has not been a bona fide resident of the State for twelve months continuously, next preceding the date on which the fishing shall commence, to use or cause to be used in the waters of the State, which shall include the distance of three nautical miles, measured from the outer beaches or shores of the State of North Carolina out and into the waters of the Atlantic Ocean, any seines, trawls or nets of any kind for the purpose of taking fish for sale or exportation. Any person, firm or corporation violating this section shall be guilty of a misdemeanor and fined or imprisoned at the discretion of the court.

Fishing with nets,
etc., by non-resi-
dents prohibited.

Within 3 miles
from shore.

Punishment.

It shall be the duty of the Fisheries Commissioner whenever he has reasonable grounds to believe that this section is being violated in any particular place, to go himself or send a duly authorized deputy to such place and such officer finding that the provisions of this Act are being violated is hereby authorized and empowered to seize and remove all nets, machinery, or other appliances or paraphernalia being used in violation of this section, and to sell the same at public auction, after advertisement for ten days at the Court House door in the county in which the seizure was made, or in which the seized property is taken under the provisions of this act, and apply the proceeds from said sale, first to payment of costs and expenses of such sale and removal, and pay the balance of said proceeds remaining, if any, to the school fund of the county in which or nearest to where the offense is committed.

Duty of Fisheries
Commissioner to
prosecute.

Seizure of para-
phernalia used in
violation of Act.

Sale at auction.

Application of
proceeds.

Such Fisheries Commissioner, or his authorized deputy, is further authorized and empowered to seize any boat, vessel or ship of any kind or nature, used in thus violating the law, and to bring the same into the nearest port in said State having sufficient depth of water to properly accommodate such boat, vessel or ship so seized. Such boat, vessel or ship so found being used contrary to the provisions of this Statute,

Seizure of boat, etc.